

Order

Michigan Supreme Court
Lansing, Michigan

February 19, 2008

Clifford W. Taylor,
Chief Justice

135413

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 135413
COA: 280205
Montcalm CC: 06-008086-FH

ALAN LEE MORSE,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the October 26, 2007 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Montcalm Circuit Court for the trial court to correct the judgment of sentence by deleting the \$300.00 fine. The fine was clearly not a part of the sentencing agreement, and the defendant was not offered the opportunity to withdraw his plea after the fine was imposed as part of the sentence. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 19, 2008

Corbin R. Davis

Clerk